

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Lynchburg Division**

**LIBERTY UNIVERSITY, on its own behalf
and on behalf of its students and
prospective students,**

Plaintiff,

v.

**RALPH NORTHAM, in his official capacity
as Governor of the Commonwealth of
Virginia, and PETER BLAKE, in his official
capacity as Director of the State Council of
Higher Education for Virginia,**

Defendants.

Case No. 6:21-cv-00002-NKM

**GOVERNOR NORTHAM AND DIRECTOR BLAKE'S
MOTION TO DISMISS PURSUANT TO RULES 12(b)(1) AND 12(b)(6)**

Defendants, Ralph Northam, in his official capacity as Governor of the Commonwealth of Virginia, and Peter Blake, in his official capacity as Director of the State Council of Higher Education for Virginia (collectively “defendants”), by counsel, and pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, respectfully move this Court to dismiss the plaintiff’s Complaint for Injunctive and Declaratory Relief with prejudice. In support, defendants rely on the Memorandum in Support filed herewith.

Respectfully submitted,

/s/ Amy E. Hensley

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CERTIFICATE OF SERVICE

I hereby certify that on the 2nd of February, 2021, I filed a copy of the foregoing document using the Court's ECM/ECF filing system, which will send an electronic notification of the same (NEF) to counsel of record for the plaintiff.

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